

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>80375F</b>	<b>FOR FURTHER ACTION</b> See Form PCT/IPEA/416	
International application No. <b>PCT/FI2004/000742</b>	International filing date (day/month/year) <b>07-12-2004</b>	Priority date (day/month/year) <b>05-12-2003</b>
International Patent Classification (IPC) or national classification and IPC <b>See Supplemental Box</b>		
Applicant <b>Frwd Technologies Oy et al</b>		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
  - a. ☒ (sent to the applicant and to the International Bureau) a total of 7 sheets, as follows:
    - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
    - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
  - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:
 

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand  <b>05-10-2005</b>	Date of completion of this report  <b>27-02-2006</b>
Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88	Authorized officer  <b>Gordana Ninkovic/MN</b> Telephone No. +46 8 782 25 00

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FI2004/000742

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.  
Continuation of: Cover sheet

INTERNATIONAL PATENT CLASSIFICATION (IPC) :

A61B 5/02 (2006.01)

G01S 5/14 (2006.01)

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FI2004/000742

## Box No. 1 Basis of the report

1. With regard to the language, this report is based on:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into \_\_\_\_\_  
which is the language of a translation furnished for the purposes of:
- ☐ international search (Rules 12.3(a) and 23.1(b))
- ☐ publication of the international application (Rule 12.4(a))
- ☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1 - 13 \_\_\_\_\_ as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- pages \_\_\_\_\_ as originally filed/furnished
- pages\* \_\_\_\_\_ as amended (together with any statement) under Article 19
- pages\* 14 - 20 received by this Authority on 05-01-2006
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the drawings:
- pages 1 - 2 \_\_\_\_\_ as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (specify): \_\_\_\_\_
- ☐ any table(s) related to the sequence listing (specify): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (specify): \_\_\_\_\_
- ☐ any table(s) related to the sequence listing (specify): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FI2004/000742

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)

Claims

1-36

YES

Claims

NO

Inventive step (IS)

Claims

1-36

YES

Claims

NO

Industrial applicability (IA)

Claims

1-36

YES

Claims

NO

## 2. Citations and explanations (Rule 70.7)

Documents cited in the International Search Report:

- A WO 0239363 A1 (GP-sports system), 16 May 2002
- B US 2003/171189 A1 (A.H.Kaufman), 11 September 2003
- C WO 0142809 A2 (Esport Incorporated), 14 June 2001
- D EP 1101511 A2 (B.H.Dolkhani et al), 23 May 2001
- E US 6572511 B1 (J.C.Volpe), 3 June 2003
- F US 5921891 A (J.N.Browne), 13 July 1999
- G US 6013007 A (G.M.Root et al), 11 January 2000
- H US 5890997 A (E.S.Roth), 6 April 1999

In a view of new claims amended at 05-01-2006, documents A-C are reconsidered to represent the state of the art, together with documents D-H.

Present invention relates to an improved method for comparing a previously recorded activity to an ongoing activity.

Each of documents A-C discloses an athletic performance monitoring and training system and method which include measuring the activity of the person during the performance, comparing current measured values to the values that has been recorded and stored earlier and giving instructions to the user during the performance. The measured values are e.g. heart rate, position, velocity etc. It is also preferred that the training performance data is monitored by utilising a GPS system. (See doc.A: page 1, line 22-page 6, line 42; doc.B: page 2, part 0015-page 5, part 0038; doc.C: page 5, line 2-page 10, line 8).

.../...

## Supplemental Box

In case the space in any of the preceding boxes is not sufficient.  
Continuation of: BOX V

However, none of the cited documents discloses a method, a system, a device and a computer program for comparing a previously recorded activity to an ongoing activity providing a real time feedback during an ongoing activity at any given time.

In view of the cited documents such a method, a system, a device and a computer program cannot be considered obvious to a person skilled in the art.

Therefore the invention claimed in claims 1 - 36 is novel and considered to involve an inventive step.

The invention is regarded to be industrially applicable.